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**U.S. District Court
District of South Carolina (Charleston)
CIVIL DOCKET FOR CASE #: 2:08-cv-02492-CWH**

South Carolina Coastal Conservation League v. Federal
Highway Administration
Assigned to: Honorable C Weston Houck
Cause: 05:552 Freedom of Information Act

Date Filed: 07/10/2008
Date Terminated: 08/06/2010
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**South Carolina Coastal Conservation
League**

represented by **Christopher Kaltman DeScherer**
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V.

Defendant

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Intervenor

South Carolina State Ports Authority

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Date Filed	#	Docket Text
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07/10/2008	<u>1</u>	COMPLAINT against Federal Highway Administration (Filing fee \$ 350 receipt number 0421603649.), filed by South Carolina Coastal Conservation League. (Attachments: # <u>1</u> Exhibit 1 - 8-8-07 FOIA Request to FHWA, # <u>2</u> Exhibit 2 - 10-5-07 FHWA list of produced emails to 8-8-07 FOIA, # <u>3</u> Exhibit 3 - 10-5-07 FHWA Initial list of withheld records to 8-8-07 FOIA, # <u>4</u> Exhibit 4 - 10-24-07 FHWA ltr and list of produced records, # <u>5</u> Exhibit 5 - 10-24-07 FHWA Final list of withheld records, # <u>6</u> Exhibit 6 - 2-11-08 FHWA ltr to SELC, # <u>7</u> Exhibit 7 - 4-29-08 SELC ltr to FHWA re 8-8-07 FOIA)(mnew,) (Entered: 07/10/2008)
07/10/2008	<u>2</u>	Summons Issued(Restricted Access) as to Federal Highway Administration, U.S. Attorney and U.S. Attorney General (mnew,) (Entered: 07/10/2008)
07/10/2008	<u>4</u>	Local Rule 26.01 Answers to Interrogatories by South Carolina Coastal Conservation League.(mnew,) (Entered: 07/10/2008)
07/10/2008	<u>5</u>	DISCLOSURE STATEMENT PURSUANT TO FRCP 7.1 by South Carolina Coastal Conservation League.(mnew,) (Entered: 07/10/2008)
08/26/2008	<u>6</u>	SUMMONS Returned Executed by South Carolina Coastal Conservation League. Federal Highway Administration served on 7/16/2008, answer due 9/15/2008. (Attachments: # <u>1</u> Affidavit of Service, # <u>2</u> Exhibit A - Service Wilkins, # <u>3</u> Exhibit B - Service Mukasey, # <u>4</u> Exhibit C - Service FHWA)(Holman, J) (Entered: 08/26/2008)
08/27/2008	<u>7</u>	CERTIFICATE OF SERVICE by South Carolina Coastal Conservation League re <u>6</u> Summons Returned Executed as to USA, <i>Defendant</i> (Holman, J) (Entered: 08/27/2008)
09/15/2008	<u>8</u>	ANSWER to <u>1</u> Complaint,, by Federal Highway Administration.(Bowens, Barbara) (Entered: 09/15/2008)
09/15/2008	<u>9</u>	Local Rule 26.01 Answers to Interrogatories by Federal Highway Administration. (Bowens, Barbara) (Entered: 09/15/2008)
10/22/2008	<u>10</u>	SCHEDULING ORDER: Rule 26(f) Conference Deadline 11/12/2008, 26(a) Initial Disclosures due by 11/26/2008, Rule 26 Report due by 11/26/2008, Amended Pleadings due by 12/1/2008, Plaintiffs ID of Expert Witness due by 12/30/2008, Defendants ID of Expert Witnesses Due by 1/29/2009, Records Custodian Affidavit due by 1/29/2009, Discovery due by 3/30/2009, Motion in Limine due by 7/13/2009, Motions due by 4/14/2009, Rule 26(a)(3) Disclosures due by 6/29/2009, Pretrial Briefs due by 7/29/2009, Bench Trial Deadline 8/3/2009, Mediation Due by 6/15/2009. Signed by Honorable Patrick Michael Duffy on 10/22/08. (chub,) (Entered: 10/22/2008)

11/26/2008	<u>12</u>	Rule 26(f) Report by Federal Highway Administration and South Carolina Coastal Conservation League.(Bowens, Barbara) Modified on 12/1/2008 to add filers listed on document (mnew,). (Entered: 11/26/2008)
11/26/2008	<u>13</u>	STATUS REPORT <i>and Proposed Schedule Order</i> by Federal Highway Administration. (Bowens, Barbara) (Entered: 11/26/2008)
01/27/2009	17	Case Reassigned to Judge Chief Judge David C Norton. Judge Honorable Patrick Michael Duffy no longer assigned to the case. (glev,) (Entered: 01/27/2009)
02/03/2009	18	Case Reassigned to Judge Honorable C Weston Houck. Judge Chief Judge David C Norton no longer assigned to the case. (glev,) (Entered: 02/03/2009)
02/13/2009	<u>19</u>	NOTICE of Appearance by Christopher Kaltman DeScherer on behalf of South Carolina Coastal Conservation League (DeScherer, Christopher) (Entered: 02/13/2009)
06/22/2009	<u>20</u>	NOTICE of Hearing: Bar Meeting set for 7/6/2009 10:00 AM in Charleston Courtroom #4, U. S. Court House, 85 Broad St, Charleston before Honorable C Weston Houck. (mnew,) (Entered: 06/22/2009)
06/25/2009	<u>21</u>	MOTION for Partial Summary Judgment by South Carolina Coastal Conservation League. Response to Motion due by 7/13/2009 (Attachments: # <u>1</u> Exhibit Exhibits A-M, # <u>2</u> Exhibit Exhibits N-CC)Proposed order is being emailed to chambers with copy to opposing counsel(Holman, J) (Entered: 06/25/2009)
07/06/2009	22	TEXT ORDER excusing all parties from attending the 7/6/09 Bar Meeting. Case is not ready for trial yet. Entered at the direction of the Honorable C Weston Houck on 7/6/09. (jwol,) Modified to correct text on 7/6/2009 (jwol,). (Entered: 07/06/2009)
07/13/2009	<u>24</u>	RESPONSE in Opposition re <u>21</u> MOTION for Partial Summary Judgment <i>and Cross Motion for Summary Judgment</i> Response filed by Federal Highway Administration.Reply to Response to Motion due by 7/23/2009 (Attachments: # <u>1</u> Affidavit Exhibit 1, Declaration of Daniel Hinton, # <u>2</u> Appendix Representative Vaughn Index)(Bowens, Barbara) (Entered: 07/13/2009)
07/14/2009	26	DELETION OF ENTRY NUMBER #25 Reason: per conversation with AUSA (jwol,) (Entered: 07/14/2009)
07/22/2009	<u>27</u>	MOTION to Intervene by South Carolina State Ports Authority. Response to Motion due by 8/10/2009 (Attachments: # <u>1</u> Memo in Support)No proposed order(Lowell, Randy) (Entered: 07/22/2009)

07/31/2009	<u>29</u>	REPLY to Response to Motion re <u>21</u> MOTION for Partial Summary Judgment <i>Response to Cross Motion for Summary Judgment</i> Response filed by South Carolina Coastal Conservation League. (Attachments: # <u>1</u> Exhibit A through E)(DeScherer, Christopher) (Additional attachment(s) added on 8/3/2009: # <u>2</u> Exhibit List) (jwol,). Modified to add description to exhibits provided by filer per phone conversation on 8/3/2009 (jwol,). (Entered: 07/31/2009)
08/10/2009	<u>32</u>	RESPONSE to Motion re <u>27</u> MOTION to Intervene Response filed by Federal Highway Administration.Reply to Response to Motion due by 8/20/2009 (Bowens, Barbara) (Entered: 08/10/2009)
08/10/2009	<u>33</u>	RESPONSE in Opposition re <u>27</u> MOTION to Intervene Response filed by South Carolina Coastal Conservation League.Reply to Response to Motion due by 8/20/2009 (Attachments: # <u>1</u> Exhibit Exhibit Table of Contents, # <u>2</u> Exhibit A through E)(Holman, J) (Entered: 08/10/2009)
08/20/2009	<u>35</u>	REPLY to Response to Motion re <u>27</u> MOTION to Intervene Response filed by South Carolina State Ports Authority. (Attachments: # <u>1</u> Proposed Answer)(Lowell, Randy) (Entered: 08/20/2009)
12/14/2009	<u>36</u>	NOTICE of Hearing: Bar Meeting set for 1/5/2010 10:00 AM in Charleston Courtroom #4, U. S. Court House, 85 Broad St, Charleston before Honorable C Weston Houck. (jwol,) (Entered: 12/14/2009)
12/18/2009	<u>37</u>	NOTICE of Hearing on Motions <u>27</u> to Intervene, <u>21</u> MOTION for Partial Summary Judgment : Motion Hearing set for Tuesday, 1/5/2010 11:00 AM in Charleston Courtroom #4, U. S. Court House, 85 Broad St, Charleston before Honorable C Weston Houck. (jwol,) (Entered: 12/18/2009)
12/30/2009	<u>38</u>	MOTION to Stay re <u>37</u> Notice of Hearing on Motion, by Federal Highway Administration. Response to Motion due by 1/19/2010 Proposed order is being emailed to chambers with copy to opposing counsel(Bowens, Barbara) (Entered: 12/30/2009)
01/04/2010	<u>39</u>	RESPONSE in Opposition re <u>38</u> MOTION to Stay re <u>37</u> Notice of Hearing on Motion, Response filed by South Carolina Coastal Conservation League.Reply to Response to Motion due by 1/14/2010 (Holman, J) (Entered: 01/04/2010)
01/06/2010	<u>40</u>	Minute Entry. Proceedings held before Honorable C Weston Houck: Bar Meeting held on 1/6/2010. Case continued. Court Reporter Gil O'Brien, CS. (jwol,) (Entered: 01/06/2010)

01/06/2010	41	Minute Entry. Proceedings held before Honorable C Weston Houck: taking under advisement 21 Motion for Partial Summary Judgment; granting 27 Motion to Intervene; denying 38 Motion to Stay; Motion Hearing held on 1/6/2010 re 38 MOTION to Stay re 37 Notice of Hearing on Motion, filed by Federal Highway Administration, 21 MOTION for Partial Summary Judgment filed by South Carolina Coastal Conservation League, 27 MOTION to Intervene filed by South Carolina State Ports Authority. Court Reporter Gil O'Brien, CS. (jwol,) (Entered: 01/06/2010)
01/11/2010	43	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings motion hearing held on 1-5-10, before Judge C. Weston Houck. Court Reporter/Transcriber O'Brien/Potocki, Telephone number 843-723-2208. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties have 7 calendar days from the filing of the transcript to file with the court a Notice of Intent to Request Redaction.. Redaction Request due 2/1/2010. Redacted Transcript Deadline set for 2/11/2010. Release of Transcript Restriction set for 4/12/2010. (dpotocki,) (Entered: 01/11/2010)
01/11/2010	44	Letter from Federal Highway Administration. (Attachments: # 1 Representative Vaughn Index)(Bowens, Barbara) (Entered: 01/11/2010)
02/04/2010	45	NOTICE of Change of Address by Christopher Kaltman DeScherer (DeScherer, Christopher) (Entered: 02/04/2010)
02/04/2010	46	NOTICE of Change of Address by J Blanding Holman, IV (Holman, J) (Entered: 02/04/2010)
02/04/2010	47	ANSWER to 1 Complaint,, by South Carolina State Ports Authority.(Green, Tracey) (Entered: 02/04/2010)
02/04/2010	48	MOTION for Summary Judgment by South Carolina State Ports Authority. Response to Motion due by 2/22/2010 (Attachments: # 1 Memo in Support, # 2 Exhibit Exhibit 1)No proposed order(Green, Tracey) (Entered: 02/04/2010)
02/18/2010	49	MOTION Protection from Appearance by South Carolina State Ports Authority. Response to Motion due by 3/8/2010 Proposed order is being emailed to chambers with copy to opposing counsel(Green, Tracey) (Entered: 02/18/2010)
02/18/2010	50	ORDER granting 49 Motion Protection from Appearance for Attorney Tracey Green for March 3, 2010 through March 9, 2010. Signed by Honorable C Weston Houck on 2/18/2010.(vdru) (Entered: 02/18/2010)

02/22/2010	54	MOTION for Partial Summary Judgment <i>and Response to Intervenor-Defendant South Carolina State Ports Authority's Motion for Partial Summary Judgment</i> by South Carolina Coastal Conservation League. Response to Motion due by 3/29/2010 (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)No proposed order(Holman, J) Modified to correct filing date to that of the original filing on 3/11/2010 (jwol,). (Entered: 03/11/2010)
03/04/2010	52	REPLY to Response to Motion re 48 MOTION for Summary Judgment Response filed by South Carolina State Ports Authority. (Attachments: # 1 Affidavit Affidavit of Randy Lowell)(Green, Tracey) (Entered: 03/04/2010)
03/11/2010	53	DELETION OF DOCKET ENTRY NUMBER 51 Reason: incorrect event. Modified filing date to that of original filing: 2/22/10 (jwol,) (Entered: 03/11/2010)
03/15/2010	55	NOTICE of Appearance by Lisa Marie Saltzburg on behalf of South Carolina Coastal Conservation League (Saltzburg, Lisa) (Entered: 03/15/2010)
03/15/2010	56	REPLY to Response to Motion re 54 MOTION for Partial Summary Judgment <i>and Response to Intervenor-Defendant South Carolina State Ports Authority's Motion for Partial Summary Judgment</i> Response filed by South Carolina Coastal Conservation League. (Saltzburg, Lisa) (Entered: 03/15/2010)
03/17/2010	57	TEXT ORDER STAYING CASE, including all pending motions, until April 16, 2010, or until a notice of termination of mediation is filed in the related case (2:07-cv-3802-CWH). Entered at the direction of the Honorable C Weston Houck on March 17, 2010. (pque,) (Entered: 03/17/2010)
04/12/2010	58	TEXT ORDER STAYING CASE, including all pending motions, until April 26, 2010, or until a notice of termination of the mediation is filed in the related case (2:07-cv-3802-CWH). Entered at the direction of the Honorable C Weston Houck on April 12, 2010. (pque,) (Entered: 04/12/2010)
04/29/2010	59	TEXT ORDER STAYING CASE, including all pending motions, until June 28, 2010, or until a notice of termination of the mediation is filed in the related case (2:07-cv-3802-CWH). Entered at the direction of the Honorable C Weston Houck on April 29, 2010. (pque) (Entered: 04/29/2010)
06/28/2010	60	TEXT ORDER STAYING CASE, including all pending motions, until August 9, 2010, or until a notice of termination of the mediation is filed in the related case (2:07-cv-3802-CWH). Entered at the direction of the Honorable C Weston Houck on June 28, 2010. (pque,) (Entered: 06/28/2010)
08/06/2010	61	Consent MOTION to Dismiss <i>with Settlement Agreement</i> by South Carolina Coastal Conservation League. Response to Motion due by 8/23/2010 (Attachments: # 1 Exhibit A - Settlement Agreement)Proposed order is being emailed to chambers with

		copy to opposing counsel(Holman, J) (Entered: 08/06/2010)
08/06/2010	62	ORDER granting 61 Motion to Dismiss. It is ordered that all parties consent to dismissal and this action is concluded and dismissed with prejudice. The parties agree that the Court retains jurisdiction to enforce the settlement agreement. Signed by Honorable C Weston Houck on 8/6/2010.(vdru,) (Entered: 08/06/2010)

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